

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

<b>CITGO PETROLEUM CORPORATION</b>	<b>:</b>	<b>CIVIL ACTION NUMBER</b>
<b>VERSUS</b>	<b>:</b>	<b>02-1585</b>
<b>OWENSBY &amp; KRITIKOS, INC., ET AL.</b>	<b>:</b>	<b>JUDGE MINALDI MAGISTRATE JUDGE WILSON</b>

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**ORDER**

At the request of counsel, a settlement conference will be held on October 26, 2006, 2006, at 10:00 a.m. in the office of the undersigned magistrate judge. The following orders are entered to assist the court in an objective appraisal and evaluation of the lawsuit:

1. Each party shall submit by facsimile transmission (337-437-8264) or hand deliver a written Confidential Settlement Conference Statement no later than one week prior to the settlement conference. The Statement shall contain the following:

- (a) A concise evaluation of the factual or legal issues in dispute (or other factors) which are perceived as the primary "sticking points" preventing settlement;
- (b) An estimate, expressed in percentage, of your client's chances of prevailing on each claim at issue;
- (c) Assume liability on each claim is established. Please provide an estimate of the following, itemized as to each claim or element of damage at issue:
  - (1) judgment value;
  - (2) settlement value.
- (d) Any other documents which counsel believe may be of benefit to the Court in evaluating the case.

2. The contents of the Confidential Settlement Conference Statements will not be disclosed to any party without the express permission of the party who authored it. Neither the Statements nor communications of any kind occurring during the settlement conference can be used by any party with regard to any aspect of the litigation or trial of the case.

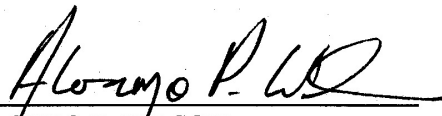
3. Trial counsel for each party shall participate in the conference. **Ms. Jennifer Mustain** for CITGO and **Ms. Margaret Connel** for Basic shall attend the conference. Any representatives shall have full authority to settle the matter.

"Full settlement authority" is defined for defendants as final settlement authority to commit the defendant to pay, in the representative's discretion, a settlement amount up to the plaintiff's prayer (excluding punitive damage prayers in excess of \$100,000) or up to the plaintiff's last demand, whichever is lower. For a plaintiff, the representative must have final authority, in the representative's discretion, to authorize dismissal of the case with prejudice, or to accept a settlement amount down to the defendant's last offer.

4. Failure to fully comply with these attendance requirements may result in the imposition of appropriate sanctions.

5. Counsel of record will be responsible for timely advising any involved non-party insurance company of the requirements of this order.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, on October 11, 2006.

  
ALONZO P. WILSON  
UNITED STATES MAGISTRATE JUDGE